a) (S//SI//NF) Under the British-U.S. Communications Intelligence Agreement of 5 March 1946 (commonly known as the United Kingdom/United States of America (UKUSA) Agreement), both governments agreed to exchange communications intelligence products, methods and techniques as applicable so long as it was not prejudicial to national interests. This agreement has evolved to include a common understanding that both governments will not target each other's citizens/persons. However, when it is in the best interest of each nation, each reserved the right to conduct unilateral COMINT action against each other's citizens/persons. Therefore, under certain circumstances, it may be advisable and allowable to target Second Party persons and second party communications systems unilaterally when it is in the best interests of the U.S. and necessary for U.S. national security. Such targeting must be performed exclusively within the direction, procedures and decision processes outlined in this directive.

b) (S//SI//REL to UK, CAN, AUS, NZ and USA) There are circumstances when targeting of Second party persons and communications systems, with the full knowledge and cooperation of one or more Second Parties, is allowed when it is in the best interests of both nations. This targeting will conform to guidelines set forth in this directive.

b) (S//NF) **Unilaterally by the Signals Intelligence Directorate:** When sharing the planned targeting information with a Second Party would be contrary to U.S. interests, or when the Second Party declines a collaboration proposal, the proposed targeting must be presented to the Signals Intelligence Director for approval with justification for the criticality of the proposed collection. If approved, any collection, processing and dissemination of the Second Party information must be maintained in NOFORN channels.

(S//SI//REL) SID Analysts Can Now Unminimize Incidentally Collected UK Contact Identifiers

FROM: [redacted]

SIGINT Policy (S02L1)

Run Date: 05/16/2007

(S//SI//REL) SIGINT Policy (S02L1) and the UK Liaison Office here at NSAW worked together to come up with a new policy that expands the use of incidentally collected unminimized UK data in SIGINT analysis. The new policy expands the previous memo issued in 2004 that only allowed the unminimizing of incidentally collected UK phone numbers for use in analysis. Now SID analysts can unminimize all incidentally collected UK contact identifiers, including IP and email addresses, fax and cell phone numbers, for use in analysis. Analysts:

- (S//SI//REL) Are authorized to unmask UK contact identifiers resulting from incidental collection. Incidental collection is defined as foreign com munications collected/selected incidental to the original SIGINT task.
- (S//SI//REL) May utilize the UK contact identifiers in SIGINT development contact chaining analysis. The UK contact identifiers will not be the primary subject of SIGINT collection or analysis other than contact chaining except under existing authorization procedures.
- (S//SI//REL) Will not deliberately collect against nor target UK contact identifiers for content unless so authorized.
- (S//SI//REL) Will continue to minimize UK contact identifiers in any SIGINT product/service to include the dissemination of SIGINT metadata provided for foreign intelligence purposes in accordance with existing policy and procedures.
- (S//SI//REL) May retain unminimized UK contact identifiers incidentally collected under this authority within content and metadata stores and provided to follow-on USSS (US SIGINT System) applications.
- (S//SI//REL) Are not required to forward unmasked UK contact identifiers to GCHQ unless specifically requested by GCHQ. GCHQ should receive all unmasked UK contact identifiers via established or mutually agreed forwarding means or the contact identifiers should be available in the GCHQ-accessible 5-eyes [redacted] database, the [redacted] access to [redacted], or other GCHQ- accessible metadata stores.